

STATE OF COLORADO

Roy Romer, Governor
Patti Shwayder, Acting Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

February 10, 1995

Rico Development Corporation
c/o David L. Sell
McMichael, Benedict & Multz
1580 Lincoln Street, Suite 900
Denver, CO 80203

RE: Delinquent Discharge Monitoring Report(s)
Permit No.: CO-0029793; Dolores County

CERTIFIED MAIL NO: P 319 472 324

Dear Mr. Sell:

In our letter dated December 6, 1994, we reminded you of your responsibility to submit Discharge monitoring Reports (DMRs) as required by your CDPS permit. To date we have received no response as requested.

This letter is to advise you that failure to submit a DMR within the required timeframe constitutes a violation of the above-referenced permit. The Division's policy regarding delinquent DMRs has changed and we will no longer allow this practice to continue. Unless we receive the delinquent report(s) for outfall(s) 002X for the periods of July 1 through September 30, 1994, and October 1 through December 31, 1994, by February 24, 1995, it is the intent of this Division to initiate enforcement action. In the event a formal enforcement action is necessary, then substantial fines will be imposed. We hope that you will take the time to complete and submit the identified report(s) so that further action will not be necessary. If the required samples were not collected, or the analyses weren't performed, please submit a written explanation by the date noted above.

Thank you for your cooperation in this matter. If you have any questions, please contact Darlene Casey at (303) 692-3599.

Sincerely,

Patricia A. Nelson, P.E.
Industrial Unit Chief
Permits and Enforcement Section
WATER QUALITY CONTROL DIVISION

xc: Kathleen Kalamen, Industrial Enforcement Engineer, WQCD
Local Health Department
Jim Horn, D.E., Field Support Section, WQCD
MS-3 File

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